

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Greg Finch	Team: Squad #14	CCRB Case #: 201800150	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 01/01/2018 4:45 AM	Location of Incident: § 87(2)(b)	Precinct: 09	18 Mo. SOL 7/1/2019	EO SOL 7/1/2019	
Date/Time CV Reported Sun, 01/07/2018 5:48 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Sun, 01/07/2018 5:48 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. SGT Louis Guglielmo	00489	930285	009 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. LT James Lee	00000	930421	009 PCT
2. POM David Bowman	16034	944015	009 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Louis Guglielmo	Discourtesy: Sergeant Louis Guglielmo spoke discourteously to § 87(2)(b)	§ 87(2)(b)
B.SGT Louis Guglielmo	Abuse: Sergeant Louis Guglielmo threatened § 87(2)(b)	§ 87(2)(b)

Case Summary

On January 7, 2018, § 87(2)(b) filed this complaint via the CCRB's online website on behalf of § 87(2)(b).

On January 1, 2018, at approximately 4:45 a.m., § 87(2)(b) and § 87(2)(b) § 87(2)(b)'s girlfriend, were patrons at § 87(2)(b) in Manhattan. Sergeant Louis Guglielmo and Police Officer David Bowman, both of the 9th Precinct, entered the bar and demanded to speak to the owner. § 87(2)(b) the owner of § 87(2)(b) introduced himself to the officers. Sgt. Guglielmo allegedly said, "It's a quarter to five, what the fuck are you doing open?" (**Allegation A: Discourtesy**, § 87(2)(g) Sgt. Guglielmo allegedly told § 87(2)(b) that if he did not immediately close his bar, he would find a reason to shut it down (**Allegation B: Abuse of Authority**, § 87(2)(g) No arrests or summonses resulted from the incident.

There is no video evidence in this case.

Findings and Recommendations

Allegation A — Discourtesy: Sergeant Louis Guglielmo spoke discourteously to § 87(2)(b)

Allegation B — Abuse of Authority: Sergeant Louis Guglielmo threatened § 87(2)(b)

§ 87(2)(b) (Board Review 01) said that after Sgt. Guglielmo and PO Bowman entered § 87(2)(b) and demanded to speak to the owner, Sgt. Guglielmo said to § 87(2)(b) "It's a quarter to 5 a.m., what the fuck are you still doing open?" § 87(2)(b) explained that the bar had obtained a permit from the New York State Liquor Authority authorizing it to be open until 8 a.m. and he produced a copy of the permit to Sgt. Guglielmo (Board Review 05). Sgt. Guglielmo said the permit was a forgery and called for backup. Sgt. Guglielmo allegedly told § 87(2)(b) "Shut down or I'll find a reason to shut down." Lieutenant James Lee and six additional unidentified officers from the 9th Precinct arrived as § 87(2)(b) and § 87(2)(b) left § 87(2)(b) at approximately 5 a.m.

§ 87(2)(b) declined to provide a sworn statement to the investigation, but provided a brief phone statement that was generally consistent with § 87(2)(b)'s statement (Board Review 02).

§ 87(2)(b) declined to participate in this complaint because he "didn't want any further problems with the police." (Board Review 03)

Sgt. Guglielmo (Board Review 04) and PO Bowman, his operator, entered § 87(2)(b) because of loud music emanating from inside, which Sgt. Guglielmo could hear from a block away. Sgt. Guglielmo said that earlier that night, he had been instructed by Lt. Lee that no bars in the 9th Precinct were licensed to be open past 4 a.m. Sgt. Guglielmo spoke with § 87(2)(b) who was heavily intoxicated and slurring his speech. Sgt. Guglielmo told § 87(2)(b) "It's past 4 a.m., you're not supposed to be open." Sgt. Guglielmo did not recall using any profanity or saying, "It's a quarter to five, what the fuck are you still doing open?" § 87(2)(b) showed Sgt. Guglielmo his after-hours permit. Sgt. Guglielmo told § 87(2)(b) that he had to "shut down the bar," but he did not recall saying "Shut the bar down or I'll find a way to shut it down."

PO Bowman's statement was largely consistent with Sgt. Guglielmo's (Board Review 06). PO Bowman denied hearing Sgt. Guglielmo make the alleged discourteous statements and denied hearing Sgt. Guglielmo threaten to shut down § 87(2)(b)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first complaint to which § 87(2)(b) has been a party (Board Review 07).
- This is the first complaint to which § 87(2)(b) has been a party (Board Review 08).
- Sgt. Guglielmo has been a member-of-service for 15 years and has been a subject in 12 CCRB complaints and 23 allegations, one of which was substantiated.
 - Case #201708455 involved a substantiated allegation of retaliatory arrest against Sgt. Guglielmo. The Board recommended Command Discipline A and the NYPD has not yet imposed discipline.

Mediation, Civil and Criminal Histories

- On February 26, 2018, this case was sent to Mediation, but on March 29, 2018, it was returned for an investigation as it was deemed not suitable for mediation.
- As of June 19, 2018, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (Board Review 06).

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[REDACTED]
[REDACTED]
[REDACTED]

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date